

REMARKS

Introduction

Applicants respectfully thank Examiner McKinley and Examiner Stashick for the courtesies extended in the telephonic interview of May 16, 2007.

Additionally, Applicants note with appreciation the Examiner's indication that claim 18 is allowable. Applicants also note with appreciation the Examiner's indication that each of the references cited in the Information Disclosure Statements of June 9, 2005 and August 25, 2004 have been considered.

Upon entry of the foregoing amendment, claims 11-24 are pending in the application. Claim 13 has been amended. In view of the following remarks, reconsideration and allowance of all the pending claims are respectfully requested.

Applicant's Summary of the Interview

On May 16, 2007, Applicants conducted a telephonic interview with the Examiner to discuss the 35 USC 102 rejection of claims 11-17 and 20-24 based on U.S. Patent No. 5,992,670 to Hagano et al.

In the interview, Applicants and the Examiner agreed that the "discharge projections" (elements 46) shown and described in Hagano et al. do not contact the filler neck (element FN), as evidenced by Figures 1, 11, and most clearly by Figure 32. Hagano et al. particularly describes at column 12, lines 40-59 that a distance L1 maintains the discharge projections 46 separate from the filler neck FN. As a result, Applicants and the Examiner concluded that Hagano et al. does not anticipate independent claims 11, 23, and 24 of present invention.

Specifically, the Applicants and the Examiner agreed that Hagano et al. does not disclose "at least one contact projection formed integrally with the side wall portion, the at least one contact projection extending from the side wall portion to contact the outer surface of the tank neck when said gas tank cap is coupled to the tank neck of the gas tank such that static electricity applied to the closed top portion is discharged to the tank

neck through the side wall portion and the at least one contact projection,” as recited in independent claim 11. Furthermore, Hagano et al. does not disclose “a gas tank cap removably couplable to the tank neck, the cap including: a closed top portion formed to cover an opening in the tank neck of the gas tank, a side wall portion formed integrally with the closed top portion and extending downward from an outer area of the closed top portion around a surface of the tank neck, an engagement part coupled to the side wall portion and extending from the closed top portion into the tank neck, the engagement part having a second threading disposed around an outer surface thereof to engage the first threading in the tank neck, and at least one contact projection formed integrally with the side wall portion, the at least one contact projection extending to contact the outer surface of the tank neck such that static electricity applied to the closed top portion is discharged to the tank neck through the side wall portion and the at least one contact projection” as recited in independent claim 23 of Applicants’ invention. Finally, Hagano et al. does not disclose the feature “a neck closing member to couple on and off the gas tank neck to close and open an opening in the gas tank neck, respectively, the neck closing member being formed of a single piece conductive material with at least one contact projection extending from an inner surface thereof to contact the gas tank neck when the gas cap is coupled onto the gas tank neck, the at least one contact projection formed integrally in said single piece conductive material,” as recited in independent claim 24 of Applicants’ invention.

The Examiner instructed the Applicants to file the present Request for Reconsideration. The Examiner stated that prosecution would be reopened and another Office Action would be issued in response to the present Request for Reconsideration.

Claim 13

Claim 13 has been amended to clarify the subject matter being claimed. Support for the amendment can be found in Figure 1 of Applicants’ specification and the corresponding portions of the detailed description. In view of this amendment, Applicants respectfully submit that claim 13 complies with 35 USC 112 and is allowable

over the prior art of record by virtue of its dependency on allowable independent claim 11.

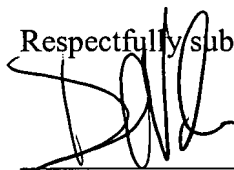
Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account debit Account 50-0548.

Respectfully submitted,



Daniel E. Valencia
Registration No. 56,463
Attorney for Applicant

Berenato, White & Stavish LLC
6550 Rock Spring Drive, Ste. 240
Bethesda, Maryland 20817
(301)896-0600